

Magistrate Judge Theiler

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

OLIVER KING, also known as
HAMID MALEKPOUR,

Defendant.

MJ10-223

COMPLAINT for VIOLATION of
Title 18, United States Code,
Sections 922(g)(5), 924(a)(2)
and Section 1001

BEFORE MARY ALICE THEILER, United States Magistrate Judge,
United States Courthouse, 700 Stewart Street, Seattle, Washington.

The undersigned complainant being duly sworn states:

COUNT ONE

(Alien in Possession of Firearms and Ammunition)

On or about May 19, 2010, at Ferndale, Washington, within the Western District of Washington and elsewhere, OLIVER KING, also known as HAMID MALEKPOUR, being an alien illegally and unlawfully in the United States and not being in possession of a hunting license or permit lawfully issued in the United States, did knowingly possess in and affecting interstate commerce, and did knowingly ship and transport in interstate commerce, firearms and ammunition, that is, two shotguns, two semiautomatic handguns and approximately 480 rounds of .50 caliber ammunition.

All in violation of Title 18, United States Code, Sections 922(g) (5) and 924(a)(2).

COUNT TWO**(False Statement to Government Agency)**

On or about May 18, 2010, at the Blaine, Washington Port of Entry, within the Western District of Washington, in a matter within the jurisdiction of the Immigration and Customs Enforcement, Department of Homeland Security, an agency of the United States, OLIVER KING, also known as HAMID MALEKPOUR, obtained entry into the United States by knowingly and willfully making a materially false, fictitious and fraudulent statement and representation, that is, in an application for entry to the United States as a nonimmigrant visitor, he stated to a Customs and Border Protection Officer that his purpose for entry was to pick up his wife at the Target store at the Bellis Fair Shopping Mall in Bellingham, Washington, whereas in truth and in fact, his purpose for entry was to ship and transport in interstate commerce, and to possess in and affecting commerce, firearms and ammunition.

All in violation of Title 18, United States Code, Section 1001.

And the complainant states that this Complaint is based on the following information:

I, Jennifer E. Hinckley, being first duly sworn on oath, depose and say:

1. I am a Special Agent with the United States Immigration and Customs Enforcement (ICE) in Blaine, Washington and have been employed in this capacity since 2003. During my tenure with the United States Immigration and Customs Enforcement, I have been charged with the investigation of various violations of laws enforced by the U.S. Immigration and Customs Enforcement to include enforcing federal criminal statutes involving violation of Title 18. I have participated in several investigations in the Western District of Washington. I am a graduate of the Federal Law Enforcement Training Center, a twenty-six week live-in training academy that gives basic and thorough indoctrination for U.S. Immigration and Customs Enforcement Special Agents
2. The information contained in this affidavit is based on my investigation as well as information related to me by other law enforcement officers through oral and

1 written reports. I have not stated every fact known to me concerning the investigation of
2 OLIVER KING but have included those facts which establish probable cause to believe
3 that KING committed the offenses charged in this Complaint.

4 3. On May 18, 2010, at approximately 10:15 p.m. OLIVER KING applied for
5 entry to the United States at the Peace Arch Port of Entry in Blaine, Washington. During
6 his examination by Customs and Border Protection Officers he stated the purpose of his
7 trip was to pick up his wife at the Target store located at the Bellis Fair Shopping Mall in
8 Bellingham, Washington. The Target store closed prior to KING'S presentation at the
9 border. KING presented a Canadian passport which had been issued that morning. When
10 questioned why he had a brand new passport issued that day, he explained that his old
11 passport went through the washing machine. KING was referred for secondary
12 examination.

13 4. KING'S prior Canadian passport was found in his car during the secondary
14 examination. With no visible water damage, the newly cancelled passport had an
15 expiration date of 2013. This passport also contains three visas for Iran: two issued in
16 2009 and one issued in 2010. It appears from the passport stamps that he traveled to Iran
17 on two of the visas; in spring of 2009 and, recently, since March 31, 2010. The current
18 visa expires in June, 2010. KING was born HAMID MALEKPOUR in Tehran, Iran, in
19 1975. He appears to be using both names and we have not yet confirmed what is his legal
20 name.

21 5. ICE special agents set up surveillance on KING once he entered the United
22 States at Blaine. KING did not go to the Bellis Fair Shopping Mall, did not stop at any
23 Target store, and did not pick up his wife. Rather, agents followed KING as he drove
24 south on I-5 through Washington State, pausing to sleep for a few hours near Chehalis,
25 Washington. Early on May 19, KING drove to McMinnville, Oregon. In McMinnville,
26 KING was surveilled as he entered an office, loaded several cardboard boxes into his
27 vehicle, then drove north to a storage facility in Ferndale, Washington. Agents
28 approached KING when he parked his car at the Ferndale storage facility.

1 6. KING verbally consented to the agents' request to search his vehicle.
2 Agents found two shotguns, two semiautomatic handguns and approximately 480 rounds
3 of .50 caliber ammunition in the car before KING reconsidered and revoked his consent.
4 Agents ceased their car search but obtained a local search warrant for KING'S storage
5 unit at the facility. That search yielded additional firearms and ammunition. In total,
6 agents seized a .50 caliber sniper rifle, two .308 caliber sniper rifles, three .300 caliber
7 sniper rifles, eight law enforcement style .223 caliber rifles, three Glock semi-automatic
8 handguns, 100 .223 caliber magazines, 3800 rounds of .223 caliber ammunition, and
9 several other firearms-related items, such as high end scopes. The value of the recovered
10 firearms and ammunition is well over \$30,000. Many of the weapons were in boxes with
11 shipping labels to the McMinnville, Oregon office that KING entered.

12 7. According to agents from the Bureau of Alcohol, Tobacco and Firearms
13 (ATF) in Oregon, a Federal Firearms License was issued to another person at the
14 McMinnville address. KING is on the lease of the Oregon office.

15 8. According to documents found in KING'S car during a previous border
16 crossing, KING previously was a licensed firearms dealer in Canada in the name HAMID
17 MALEKPOUR. The Canadian government revoked his license after discovering
18 MALEKPOUR was selling firearms over the Internet, which is prohibited by Canadian
19 law, and that his gun records were incomplete, however computer records now indicate
20 that the Canadian firearms license under MALEKPOUR has been "recovered," may be
21 valid currently, and that he has six firearms registered to him in that name. In a previous
22 crossing, KING had a resume which listed him as a business consultant, with advanced
23 degrees of an MBA from the Wharton School of Business, and a MA and Ph.D. from the
24 Technical University of Denmark. He listed his most recent employment as the Technical
25 Executive with a Vancouver [Canada] company entitled Modeling Intelligence
26 Corporation. His girlfriend/wife was listed as the project owner. During the May 18,
27 2010, search of his car, agents found a memo-style document, purporting to verify
28 KING'S employment with Modeling Intelligence Corporation, again signed by his

1 girlfriend/wife as the CEO.

2 9. When asked about the firearms in his car, KING claimed to have a hunting
3 license from North Dakota and showed a computer image of a recently expired license in
4 the name of OLIVER KING. In his wallet, KING carried a Canadian hunting license in
5 the name of HAMID MALEKPOUR, which was just issued on May 18, 2010, an
6 apparently valid British Columbia drivers license in the name OLIVER KING, issued in
7 2008, and a May 18, 2010 Canadian Post Receipt in the name of HAMID MALEKPOUR.
8 Regardless of the validity of the hunting licenses, the size and type of firearms and
9 ammunition found is not consistent with an occasional recreational hunter.

10 10. KING would not have been allowed into the United States at the Blaine
11 Port of Entry if he had given accurate and true information as to his purpose of his visit.
12 That is, he would have been prohibited from entering the United States as a visitor for his
13 true purpose of possessing and transporting interstate firearms and ammunition or for
14 possessing firearms and ammunition with a validly issued hunting permit.

15 11. Based on the above facts, I respectfully submit that there is probable cause
16 to believe that OLIVER KING, also known as HAMID MALEKPOUR, being an alien
17 illegally and unlawfully in the United States, and not possessing a hunting license or
18 permit lawfully issued in the United States, did knowingly possess in and affecting
19 interstate commerce, and did knowingly ship and transport in interstate commerce,
20 firearms and ammunition, in violation of Title 18, United States Code, Section 922(g)(5)
21 and that OLIVER KING did knowingly and intentionally make a false statement, material
22 to a matter within the jurisdiction of a governmental agency or department, in violation of
23 Title 18, United States Code, Section 1001.

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25 
26 JENNIFER E. HINCKLEY
27 Complainant Special Agent
28 Immigration and Customs Enforcement

Based on the Complaint and Affidavit sworn to before me, and subscribed in my

1 presence, the Court hereby finds that there is probable cause to believe the defendant
2 committed the offenses set forth in the Complaint.

3 Dated this 20 day of May, 2010.

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6 MARY ALICE THEILER
7 United States Magistrate Judge
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